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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/058,550	01/28/2002	Zhaoyun Xing	004-5620	3758

22120 7590 06/05/2003

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EXAMINER

DINH, PAUL

ART UNIT

PAPER NUMBER

2825

DATE MAILED: 06/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/058,550

Applicant(s)

XING ET AL.

Examiner

Paul Dinh

Art Unit

2825

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
1, 2, 14-17, 23 and 24
- 7) ☒ Claim(s) 3-13 and 18-22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- ☐ Interview Summary (PTO-413) Paper No(s). _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other:

DETAILED ACTION

Claim Objections

Claims 2, 17 are objected to because "such" should be changed to - - said - -.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-2, 14-17, 23-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Andreev et al (USP 6182272) who discloses a method/product/graph comprising:

(Claim 1 and similarly recited claims 15-16, 24)

generating a plurality of subgraphs, each of the plurality of subgraphs corresponding to each of the plurality of layers of circuitry (fig 7), each of the plurality of subgraphs including a plurality of segment based on the information from other layer of the circuitry; and

combining all of the plurality of subgraphs into a single multi layer graph (fig 7)

(Claims 2, 17) fig 5 teaches intersection points of all [such] said segments.

(Claim 14) IC made is just an intended used. Just for the applicant information, abstract/field of invention/fig 2 teaches IC made/designed.

(Claim 23) program/software/storage/medium/disk/tape and internet/network in claim 23 is just an intended used and/or inherent apparatus in a computer/workstation/CAD/ECAD/design/layout system/platform. Just for the applicant information, fig 9 substantially teaches this intended use.

2. Claims 1-2, 14-17, 23-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Nitta et al (USP 6415427) who discloses a method/product/graph comprising:

(Claim 1 and similarly recited claims 15-16, 24)

Art Unit: 2825

col 1
generating a plurality of subgraphs, each of the plurality of subgraphs corresponding to each of the plurality of layers of circuitry (c1, fig 7), each of the plurality of subgraphs including a plurality of segment based on the information from other layer of the circuitry; and

combining all of the plurality of subgraphs into a single multi layer graph (fig 7)

(Claims 2, 17) fig 7 teaches intersection points of all [such] said segments.

(Claim 14) IC made is just an intended used. Just for the applicant information, abstract teaches IC made/design.

(Claim 23) program/software/storage/medium/disk/tape and internet/network in claim 23 is just an intended used and/or inherent apparatus in a computer/workstation/CAD/ECAD/design/layout system/platform. Just for the applicant information, c1 substantially teaches this intended us, i.e. the CAD system.

3. Claims 1, 14-16, 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Marks (USP 5748844) who discloses a method/product/graph comprising:

(Claim 1 and similarly recited claims 15-16, 24)

generating a plurality of subgraphs, each of the plurality of subgraphs corresponding to each of the plurality of layers of circuitry (c1), each of the plurality of subgraphs including a plurality of segment based on the information from other layer of the circuitry; and

combining all of the plurality of subgraphs into a single multi layer graph (fig 3).

(Claim 14) IC made is just an intended used. Just for the applicant information, fig 1 teaches IC made/layout.

(Claim 23) program/software/storage/medium/disk/tape and internet/network in claim 23 is just an intended used and/or inherent apparatus in a computer/workstation/CAD/ECAD/ design/layout system/platform to perform the claimed functions. Just for the applicant information, claim 1 substantially teaches this intended us, i.e. the computer.

Allowable Subject Matter

Claims 3-13, 18-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3-13, 18-22 would be allowable because the prior art does not teach or suggest the limitation in claim 3, lines 3-14 and similarly recited claim 18, lines 3-14.

Art Unit: 2825

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Dinh whose telephone number is (703) 305-5662. The examiner can normally be reached on Monday to Friday from 8:30am to 5:00pm.

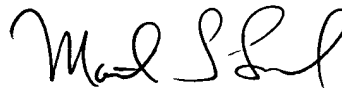
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Smith can be reached on (703) 308-1323. The fax number for the organization handling this application is (703) 872-9318.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

Paul Dinh

Patent Examiner

May 28, 2003



MATTHEW SMITH
SUPERVISORY PATENT EXAMINER
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